

1. The applicant is original accused no.1 in CR no.459 of 2005.
2. The learned advocate appearing for the applicant points out to me that this Court has enlarged four other accused on bail in Criminal Application No.2594 of 2006. Apart from the grounds of parity, it is also contended that the applicant's role is that of a Rikshaw Driver. The recovery is of a cash of Rs.7,200/- and a mobile hand set.
3. Shri Hingorani, learned APP has not disputed

the fact that now the charge sheet is filed after investigation and this Court has enlarged other accused on bail.

4. In these circumstances, the applicant deserves to be enlarged on bail on the grounds of parity. Hence, following order.

5. ORDER :-

(i) The applicant shall be enlarged on bail in connection with C.R.No.469 of 2005 registered with Malad Police Station subject to furnishing a personal bond of Rs.5,000/- (Rs.Five thousand only) with two sureties in the like sum;

(ii) The applicant shall report to the concerned Police Station once in a week;

(iii) The bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence.

(iv) The applicant shall co-operate with the Trial Court for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

(v) Any observation/s made in this order shall not be constructed as any finding or any expression of opinion on the merits of the case at the time of trial.

6. It is averred by the applicant in the application that his brother-in-law Kamal Kishore Vishwakarma is ready and willing to stand as

surety, if he is released on bail. The applicant is permanent resident of Mumbai and residing at the address mentioned in the cause title. The applicant in addition to abiding by the above conditions shall also submit his proof of residence and without intimation to the I.O. shall not change his address till conclusion of the trial. The applicant shall not be enlarged on bail unless he provides his residential proof.

7. Application is disposed of in above terms.

(S.C.DHARMADHIKARI, J.)